

EXHIBIT B

SUM-100

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

NIBCO, INC.; WESTERN NEVADA SUPPLY AND DOES 1-30, INCLUSIVE

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

AIG PROPERTY CASUALTY COMPANY A/S/O KEVIN DOUGLAS
AND MICHELLE DOUGLAS

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)
SUPERIOR COURT OF CALIFORNIA
COUNTY OF STAGGER

DEC 19 2019

JANE CHOI (Clerk)
EXECUTIVE OFFICER & CLERK
By: C. Wagoner, Deputy

NOTICE: You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

AVISO: Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le queda más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incomparecencia y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos en línea de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos extras por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de litigio civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desahogar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Placer Superior Court

10820 Justice Center Drive
Roseville, CA 95678

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Jordan Everakes, Grotfeld Hoffmann, 700 Larkspur Landing Circle, Suite 280, Larkspur CA (415)344-9670

DATE:
(Fecha)

DEC 19 2019

Clerk, by
(Secretario)

Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010))

NOTICE TO THE PERSON SERVED: You are served
1 ☐ as an individual defendant
2 ☐ as the person sued under the fictitious name of (specify):

3 ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation) ☐ CCP 416.80 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.80 (authorized person)

☐ other (specify):

4 ☐ by personal delivery on (date):

Page 1 of 1

BY FAX

SUM-100

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

KIRCO, INC.; WESTERN NEVADA SUPPLY AND DOES 1-30, INCLUSIVE

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(LO ESTÁ DEMANDANDO EL DEMANDANTE):

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AND MICHELLE DOUGLAS

NOTICE! You have been sued! The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

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The name and address of the court is:

(El nombre y dirección de la corte es: Place: Superior Court

10820 Justice Center Drive
Roseville, CA 95678

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es:
Jordan Everakes, Grotefeld Hoffmann, 700 Larkspur Landing Circle, Suite 280, Larkspur, CA (415)344-9670

DATE:

(Fecha)

Clerk, by

(Secretario)

Deputy

(Adjunto)

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- 1 ☐ as an individual defendant
2 ☐ as the person sued under the fictitious name of (specify)

- 3 ☐ on behalf of (specify)

- under: ☐ CCP 415 10 (corporation) ☐ CCP 415 60 (minor)
☐ CCP 415 20 (defunct corporation) ☐ CCP 415 70 (conservator)
☐ CCP 415 40 (association or partnership) ☐ CCP 415 90 (authorized person)
☐ other (specify)

- 4 ☐ by personal delivery on (date)

SUMMONS

Page 3 of 3

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

AIG PROPERTY CASUALTY COMPANY, NO. 2:20-CV-00197-JAM-EFB

Plaintiff,

vs.

ORDER REQUIRING SERVICE OF
PROCESS AND JOINT STATUS REPORT

NIBCO, INC., ET AL.,

Defendant.

This action has been assigned to District Judge John A. Mendez. Pursuant to the provisions
of Fed. R. Civ. P. 16 and 26, **IT IS HEREBY ORDERED THAT:**

1. Plaintiff(s) shall complete service of process on all parties within ninety (90) days
of the date of filing of the complaint.
2. Concurrently with the service of process, or as soon thereafter as possible, plaintiff(s) shall
serve upon each of the parties named herein, and upon all parties subsequently joined, a copy of all new
civil case orders issued, and shall file with the Clerk a certificate reflecting such service.
3. In the event this action was originally filed in a state court and was thereafter removed
to this court, the removing party or parties shall, immediately following such removal, serve upon each

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1 of the other parties named herein, and upon all parties subsequently joined, a copy of this Order, and
2 shall file with the Clerk a certificate reflecting such service.

3 4. Within sixty (60) days of service of the complaint on any party, or from the date of removal,
4 the parties shall confer as required by Fed. R. Civ. P. 26(f) and shall prepare and submit to the Court
5 a joint status report that includes the Rule 26(f) discovery plan. The status report shall address the
6 following matters:

- 7 a. The nature of the case;
- 8 b. Progress in the service of process;
- 9 c. Possible joinder of additional parties;
- 10 d. Any expected or desired amendment of pleadings;
- 11 e. Jurisdiction and venue;
- 12 f. Anticipated motions and the scheduling of motions;
- 13 g. Anticipated discovery and the scheduling of discovery, including:
 - 14 (1) what changes, if any, should be made in the timing, form,
15 or requirement for disclosures under Rule 26(a), including
16 a statement as to when disclosures under Rule 26(a)(1)
17 were made or will be made;
 - 18 (2) the subjects on which discovery may be needed, when
19 discovery should be completed, and whether discovery
20 should be conducted in phases or be limited to or
21 focused upon particular issues;
 - 22 (3) what changes, if any, should be made in the limitations
23 on discovery imposed under the Civil Rules and what
24 other limitations, if any, should be imposed; and
 - 25 (4) the timing of the disclosure of expert witnesses and
26 information required by Rule 26(a)(2).
- h. Future proceedings, including setting appropriate cut-off dates for
discovery, law and motion, and the scheduling of pretrial and trial;
- i. Appropriateness of special procedures;
- j. Estimate of trial time;

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- k. Modification of standard pretrial procedures specified by the rules due to the relative simplicity or complexity of the action or proceedings;
- l. Whether the case is related to any other case, including any matters in bankruptcy;
- m. Whether a settlement conference should be scheduled; and
- n. Any other matters that may add to the just and expeditious disposition of this matter.

5. The Court, upon review of the joint status report may:

- a. Issue a scheduling order incorporating the suggestions of counsel as contained in the joint status report; or
- b. By minute order, set a status conference to be held either by telephone or in chambers.

6. In cases involving public traded companies, the parties shall request Judge Mendez's recusal list by contacting Harry Vine at (916) 930-4091 or via Email at hvine@caed.uscourts.gov. In addition, any nongovernmental corporate party to an action assigned to Judge Mendez shall file with the joint status report a statement identifying all its parent corporations and listing any publicly held company that owns 10% or more of the party's stock. A party shall supplement the statement within a reasonable time of any change in the information.

DATE: January 27, 2020

JOHN A. MENDEZ
UNITED STATES DISTRICT JUDGE

by: /s/ A. Kastilahn
Deputy Clerk

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

2500 Tulare Street
Room 1501
Fresno, CA 93721

LAWRENCE J. O'NEILL
Chief United States District Judge



Tel: 559-499-5680
Fax: 559-499-5959
Calendaring: 559-499-5682

A Case for Consent

Delay, congestion, uncertainty, and expense are concerns often expressed by civil litigants. These concerns have reached crisis level in the Eastern District of California.

Despite the population of our District nearly doubling since 1979 and a tremendous increase in case filings, for the past 40 years our entire Court has only 6 authorized District Judges. The U.S. Judicial Conference, the policy-making arm of the federal courts, has recommended for decades that Congress authorize between 5 and 11 new judgeships for this Court. Nevertheless, Congress has not done so, and political quagmire leaves little hope of new judgeships in the foreseeable future.

Instead, by the end of 2019, the Sacramento Division will lose Senior District Judge Garland E. Burrell to retirement and District Judge Morrison C. England will take senior status and reduce his caseload by half. Also, Chief District Judge Lawrence J. O'Neill will retire in January 2020, leaving the Fresno Division with only one active Article III judge and one senior Article III judge. The Court has been significantly congested in the past, but absent litigants consenting to magistrate judge jurisdiction, they will be forced to vie for less and less district judge time and attention for years to come.

The magistrate judge consent process brings about the "just, speedy, and inexpensive determination" of federal cases. Fed. R. Civ. P. 1. Magistrate judges have had a role in the federal courts since the Judiciary Act of 1789. Over time, Congress has expanded and enhanced the position in the quest for judicial efficiency.

Magistrate judges are authorized "to conduct any or all proceedings in a jury or non-jury civil matter and order the entry of judgment in the case" with the consent of the parties. 28 U.S.C. §636(c). Consent maximizes access to the courts and eases court congestion through effective use of judicial resources. It provides numerous benefits to litigants including offering the prospect of an early and firm trial date, which district judges cannot guarantee because they must give priority to criminal cases.

Furthermore, in all civil cases, the magistrate judge is responsible already for handling all non-dispositive motions and pre-trial proceedings and, as a result, is intimately familiar with the case history. Because consent allows the magistrate judge to also decide dispositive motions and handle the pretrial conference and trial, it avoids the legal limbo parties face as the district judge must take the time to become familiar with the case, the filings and the case history before being prepared to evaluate pending motions or to preside over trial. Just as with a judgment issued by a district judge, a judgment issued by a magistrate judge may be appealed directly to the United States Court of Appeals.

Magistrate judges are well-qualified to preside over the cases assigned them. Federal courts attract experienced, high-caliber attorneys and state court and administrative law judges, with diverse experiences in civil and criminal litigation to apply for magistrate judge positions. These applicants are evaluated based upon their education, experience, knowledge of the court system, personal attributes and other criteria. Unlike district judges, magistrate judges are selected on merit alone; political party affiliation plays no part in the selection process. This makes them as qualified as their district judge colleagues to preside over federal cases.

To consent to magistrate judge jurisdiction, the party simply signs and files a consent form. The form is available on the Court's website: <http://www.caed.uscourts.gov/caednew/index.cfm/forms/civil/>. Our district judges actively encourage consent to magistrate judge jurisdiction to allow parties to receive timely resolution of their disputes. However, parties may consent or withhold consent without any adverse consequences.

Litigants deserve justice delivered in a fair, prompt, and efficient manner. In the federal district court system in general and in this District in particular, magistrate judges play a critical role in providing this justice. Consenting to magistrate judge jurisdiction in civil cases represents one of the best ways to secure "just, speedy, and inexpensive determination" for your case.


Lawrence J. O'Neill
Chief United States District Judge

**NOTICE OF AVAILABILITY OF A MAGISTRATE JUDGE
TO EXERCISE JURISDICTION AND APPEAL INSTRUCTIONS**

You are hereby notified in accordance with 28 U.S.C §636(c), F.R.Civ.P.73 and Local Rule 305, the United States Magistrate Judges sitting in Sacramento and Fresno are available to exercise the court's case-dispositive jurisdiction and to conduct any or all case-dispositive proceedings in this action, including motions to dismiss, motions for summary judgment, a jury or non jury trial, and entry of a final judgment. Exercise of this jurisdiction by a Magistrate Judge is however, permitted only if all parties voluntarily consent. You may, without adverse substantive consequences, withhold your consent, but this will prevent the court's case-dispositive jurisdiction from being exercised by a Magistrate Judge.

Any appeal from a judgment entered by a Magistrate Judge is taken directly to the United States Court of Appeals for the Ninth Circuit or, where appropriate, for the Federal Circuit in the same manner as an appeal from any other judgment of a District Court.

Whether or not the parties consent pursuant to 28 U.S.C. § 636(c), the assigned Magistrate Judge will hear all motions except those case-dispositive motions set forth in 28 U.S.C. § 636(b)(1)(A).

A copy of the Form for "Consent to / Decline of Jurisdiction of United States Magistrate Judge" is attached hereto for pro per use and attorney information. This form is available in fillable .pdf format on the court's web site at www.caed.uscourts.gov for all attorney ECF filers. This form may be filed through CM/ECF or by pro se litigants at the appropriate Clerk's Office location.

Office of the Clerk
501 I Street, Room 4-200
Sacramento, CA 95814

Office of the Clerk
2500 Tulare Street, Suite 1501
Fresno, CA 93721

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

AIG PROPERTY CASUALTY COMPANY ,
Plaintiff(s) / Petitioner(s),

CASE NO: 2:20-CV-00197-JAM-EFB

vs.

CONSENT / DECLINE OF U.S.
MAGISTRATE JUDGE JURISDICTION

NIBCO, INC. , ET AL. ,
Defendant(s) / Respondent(s).

IMPORTANT

IF YOU CHOOSE TO CONSENT OR DECLINE TO CONSENT TO JURISDICTION OF
A UNITED STATES MAGISTRATE JUDGE, CHECK AND SIGN THE APPROPRIATE
SECTION OF THIS FORM AND RETURN IT TO THE CLERK'S OFFICE.

☐ **CONSENT TO JURISDICTION OF UNITED STATES MAGISTRATE JUDGE**

In accordance with the provisions of Title 28, U.S.C. Sec. 636(c)(1), the undersigned hereby voluntarily consents to have a United States Magistrate Judge conduct all further proceedings in this case, including trial and entry of final judgment, with direct review by the Ninth Circuit Court of Appeals, in the event an appeal is filed.

Date: _____

Signature: _____

Print Name: _____

() Plaintiff / Petitioner () Defendant / Respondent

Counsel for _____ *

☐ **DECLINE OF JURISDICTION OF UNITED STATES MAGISTRATE JUDGE**

Pursuant to Title 28, U.S.C. Sec 636(c)(2), the undersigned acknowledges the availability of a United States Magistrate Judge but hereby declines to consent.

Date: _____

Signature: _____

Print Name: _____

() Plaintiff / Petitioner () Defendant / Respondent

Counsel for _____ *

**If representing more than one party, counsel must indicate the name of each party responding.*

NOTICE OF AVAILABILITY
VOLUNTARY DISPUTE RESOLUTION

Pursuant to the findings and directives of Congress in 28 U.S.C. §§ 651 *et seq.*, and in recognition of the economic burdens and delay in the resolution of disputes that can be imposed by full formal litigation, Local Rule 271 governs the referral of certain actions to the Voluntary Dispute Resolution Program ("VDRP") at the election of parties. Plaintiff or removing party is to provide all other parties with copies of the notice at the time service is effected or, for parties already served, no more than fourteen (14) days after receiving notice from the Court. After filing of the original complaint or removal action, any party who causes a new party to be joined in the action shall promptly serve a copy of the notice on the new party.

It is the Court's intention that the VDRP shall allow the participants to take advantage of a wide variety of alternative dispute resolution methods. These methods may include, but are not limited to, mediation, negotiation, early neutral evaluation and settlement facilitation. The specific method or methods employed will be determined by the Neutral and the parties.

PLEASE TAKE NOTICE that pursuant to Local Rule 271, *this Local Rule applies to* all civil actions pending before any District Judge or Magistrate Judge in the District except that actions in the following categories are exempt from presumptive inclusion: (i) prisoner petitions and actions, including habeas corpus petitions, (ii) actions in which one of the parties is appearing *pro se*, (iii) voting rights actions, (iv) social security actions, (v) deportation actions, (vi) Freedom of Information Act actions, and (vii) actions involving the constitutionality of federal, state or local statutes or ordinances. The fact that a case falls in a category that is exempt from the presumptive applicability of this Local Rule neither (1) precludes the parties to such a case from agreeing to participate in an Alternative Dispute Resolution ("ADR") process, nor (2) deprives the Court of authority to compel participation in an appropriate ADR proceeding.

Parties may elect Voluntary Dispute Resolution with the Court indicating that all parties to the action agree to submit the action to VDRP pursuant to Local Rule 271. Actions may not be assigned to VDRP over the objection of a party. (Copy of sample stipulation attached hereto.) At the time of filing, a copy of the stipulation shall be provided to the VDRP Administrator designated below:

Sacramento Cases
Voluntary Dispute Resolution
Program Administrator
United States District Court
501 "I" Street, Suite 4-200
Sacramento, CA 95814
(916) 930-4278

Fresno Cases
Voluntary Dispute Resolution
Program Administrator
United States District Court
2500 Tulare Street, Suite 1501
Fresno, CA 93721
(559) 499-5600

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

AIG PROPERTY CASUALTY COMPANY ,

NO: 2:20-CV-00197-JAM-EFB

Plaintiff(s)

v.

**STIPULATION TO ELECT REFERRAL
OF ACTION TO VOLUNTARY DISPUTE
RESOLUTION PROGRAM (VDRP)
PURSUANT TO LOCAL RULE 271**

NIBCO, INC. , ET AL.,

Defendant(s)

Pursuant to Local Rule 271, the parties hereby agree to submit the above-entitled action to
the Voluntary Dispute Resolution Program.

DATED: JANUARY 27, 2020

Name:
Attorney for Plaintiff(s)

Name:
Attorney for Defendant(s)